

Waimea August 11 A.D. 1891



18 } I hoopiia no Hewa Hanai no me
Kaona, K.H. } ka hana kolohe ma ke Degere 3 ma
ka la 29 o July 1891. ma ka Apana
o Waimea Kauai oia kona huhuki ana i
kahi mau Huli Kalo me ke kuleana ole ma
lalo o ke Kanawai. o kela mau Huli oia ka
waiwai o J. A. Akina.

O L. Nakapahu ka mea Hoohiki. o John
Mamala ka Makai hope. Ua noho ka Aha
e hoolohe i keia Hihia. Ua pane mai ka
mea hoopiia. Ua hana au ole nae i Hewa

Eia ka olelo ike a na Hoike o ka aoao Ho-
pii i Hoohiki ia.

1 J. A. Akina kou inoa. no Waimea nei. Ka-
maaina au me ka mea Hoopiia. ma ka po-
akolu la 29 o July 1891. ua hoouna aku wau
i kekahi paele e hana ana me au. me na
Pua Huli. elima paha ka mi. no ke kame-
ana maloko o ka Loi au i kamai mama-
a aku. hala o Jes. o ho kela hana au i ho-
una ai iaia. hala aku la au no uka o Kapuna.
a i kou hoi ana mai. me he mea la mawana
paha o ka hora 3 a me 4. oia ahiaki. oia

no ke ahihi o ka la a q. iāu i hiki ai ma
ka muliwai, mamua iho o ka Hale Wili Lāi-
ki o Akiona. na kahaia au e Mr. & Mrs. Ka-
malenui. pui aku la au a hiki me lana,
mamuli o kōu lohe ana mai ia feo mai,
pui aku la au i kekahi la ae. la 30 ia o
July, a nana ina huli āu i kumu ai, iloko
o ka Loi, i na huli mua i ulu, ike wan o
na huli mua loa oia na huli e pili ana
i ka Auwai nei, na laupai ia ai. Aole i
uhuki ia, i ka palena mai o kahi i kumu
ia, ike au na pau i ka uhuki ia, kekahi
ua uhuki ia, kekahi ua moku ia me he mea la
ua oki ia, manao au ho. \$10.00 b. p. l. ... b. l.
mau huli i uhuki ia, Aole au i maopopo loa
no Kaona kela aina, o Kamalenui ka mea
olelo mai iāu, i kōu hoomaka ana e kumu
i kela aina, aole au i kuu ia mai, i Wai-
mea nei no o Kaona i kela wa, mahope
mai o kōu kumu ana i ka aina, me he mea
la, he mahina a oi paha, oia ko Kaona ka-
mailio ana mai iāu, mai kumu hou oe i
ka aina, ia manawa na ulu kām mau huli
mua, ma kōu ike he kuleana kōu e kumu i
kela aina, na hookumu ia ka lio, aole au i
ike ika mea nana i hookumu, na hoouma
au ia Kuahu, no ka palanu ana ika aina,
mamua aku o kela palanu ana, aole au i hōke

ia mai e kekahi mea na lilo ka ^{kela} aina ia
Kaona. mahope mai o ka palan ana. hai
mai o Kuaiaia. na pii aku o Kaona a ole-
lo aku ia Kuaia. aole make palan he ahi-
ahi no ia.

2. Geo (Pelle) Kou inoa. noho ma Waima. na ike
manana ia Kaona ma uka. wai hele mau ka
kamu kela Huli o Apukai. ia Kaona pii mai
iaia olelo wai aole kamu hou kela huli. o
wai kela aina. hemo no kela huli. iaia hemo
no Kaona. iaia kiola ma ka nahalehele. kela
huli wai kamu manua akahi manawa iaia
huki pau loa. akahi manawa wai kamu
kela huli ma kela loi Poakohi kela la.

Na Olelo ike ma ka aoao hoopiiia
G. W. Kaona Kou inoa. noho ma ka apana o Wai-
mea. kamaaina an ia Apukai. he mau Loi
eha Kou. aia ma Kikiaola. ma ka apana.
Waima nei. i kuai ia e ai me Kaawa Kane
he Kanawo dala he kumu kuai o kela mau
Loi he Kanakolu o Kahia a he Kanakolu o
kahia. me ka apana kula kahua hale. na hana
ia. he palapala Kuai no kela mau loi eha
me kela apana kahua hale ka manawa i
hana ia ai kela palapala Kuai i ka maka-
hiki 1890. na hoviaio ia kela palapala Kuai e
Liwai. na hoama ia e Kalaukoa i ke keena
Kakau Kope. ma Honolulu. ke pao nei an i kela

palapala kuai eia no iāu kela palapala kuai
 ua hanaia ma ka la 10 Februari AD. 1890, a
 kakau inoa ia no ia la. ika wa i lilo mai ai
 iāu hoomaka mai ka pake e palau olelo
 aku ~~hua~~ ia akata aole e hiki ke kame i
 keia aina no ka mea ua lilo iāu, oia ka
 loi e pili ana ma ka ~~akua~~wai. na pan no ika
 palau a koe alihihiki ma hai o ka loi i ke-
 la wa aū i keakea ai aole i hoi hou mai
 ka pake e hana owau ka hiki mua e papa i
 ka pake aole o kahi mea o konae oia ka loi a
 Apukai e kame nei. a i palau ia e kuolu ua
 keakea au i ka manawa a kuolu i palau ai
 i ka huli mua i kame ia aole au i ike i
 Pūpapai ika hana. mahope iho o ka pan ana
 mai o ka hana a makou hoi mai a hiki i
 ka hale, pii aku au e nana i ka aina i ua
 man loi la a me kahi loi iho ōu makai e
 ulu ka ai i kōu pii ana a hiki ike aku nei
 au e ulu ana ka huli i luna o na aina nei
 oia keia aina e kamailio ia nei. a ohe maopo
 po iāu ka mea nana i kame rinan aku au
 ia Kalanikoa nauai la i kame kinu aina?
 mahope mai oia ka la 30 o June 1891 ua hui
 au me Apukai i aku nei au e a nana nei
 e kame nei ka huli i luna o kuu e pili ana i
 Kikioala? ae mai o Apukai nan i kame
 papa aku nei au ia Apukai mai kame hou

ae iluna o kuu aina kuai pane mai o Apu-
kai na i mai o Kamalemi iau e kumu au
i kela aina ina ae e kumu ana e i huki ia ana
e au ko huli a hiki i ka hele ana o Kaku i
mua o ka Oha. mahope iho oia halawai ana
ou me Akinana halawai au me Geo (Pace) ma
ka loi e hana ia nei otelo aku au aole kumu
maanei nou keia aina. aina kuai nou ia
la no huhuki aku nei au i ka Huli. no ka
huli ole oia kou mea i kumu ole ai, mahope
mai o ka lilo ana ^{iau} o ka aina. na halawai au
me Kapilikai ninan mai oia iau na lilo ka
ia ae ka aina ae aku au na masopo iau
he aina hoopapaapa.

e. A. P. Kalanokua noho ma ka ofana o Waima
kamaaina au ia Apukai kou ike ~~ma~~ keia
hana ma na mahina hope o ka M.H. 1890 na
hui au me Apukai ma kekahi la oia mau
mahina mawaho iho o ka putapa ma Teku
malaila ninan mai o Apukai iau nan anei
i hana ka palapala kuai mawana o Kaona
me Kaawa ae aku wau nan i hana kela
palapala ~~kuai~~ i mai keia iau e hoopapa-
apa paha kela aina na hoole o Kaawa aole
elua loi ana i kuai ai me Kaona. na lilo
au mai o Kamalemi mai na hui au me Ka-
malemi na lilo o Kaawa ia Kachu ollo mai
o Kachu ia Kaona he aina kuai ko Kaawa oia

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kela mau loi mauka o Kikiaola na hiki
kiu mai o Kaawa ma kahi o Kaona ma Ka
la, o Februari 1890 kamailio mai o Kaawa he
makemake e kuai i ka aina ika mea dolo
ninan aku au ouai koe hoo kuai ika aina
o Kaona he elua loi me kula pahale oia hoi hoo-
kahi loi pono i nona hookahi loi no Kona kai-
kuahine na make, a he no he palapala
~~Silawe~~ ia mai iima ou, aole Sila mi aole he
palapala Hooko Kuleana.

L. K. Kapuni

L. K. Opana o Waimea Mokupuni o Hawaii

Dist. Court of Waimea, Kauai

Sept. 10 1891.

Regina)
) Malicious Injuries and Mischiefs
vs)
) 3rd. Degree on July 29 1891 at Waimea Kauai
)
Kaona. k) to wit: deft rooted up some of the taro
 without right said taro being the property of
 one J.A.Akina.

Sworn by L.Nakapaahu and arrested by Jno. Mamala.

Evidence.

J.A.Akina.

My name is J.A.A. reside at Waimea, am acquainted with deft. On Wednesday July 29 1891, I sent a colored man who was working with me with 5 bundles of hulis to plant on the pond where I had planted before, Joe left for the place I directed him and I left for Kapuna, I came back between 3 and 4 p.m. of the 29 when I got by the river before Akoina's rice mill, I was called by Mr & Mrs Kamalenui, I went up to them. When I heard from Joe, I went up on the next day July 30 to look after the taro which I had already planted. I found that that the taro near the river was growing well and was not rooted up. I found that the huli's which had just been planted were rooted up. I think that the damage is \$10. I did not understand that the land belongs to Kaona Kamalenui spoke to me when I was planting on said land, I was not opposed by any one, Kaona was then in Waimea, a few months after I had planted, Kaona spoke to me saying not to plant on the land any more, the taro was then growing, I know that I had a right to plant

on said land ,the horse was loosened,did not know who did it,I sent Kualu to plow the land,prior to the plowing I not notified that the land was sold to Kaona,after the plowing Kualu told me that Kaona went up to him and told him not to plow any more,that was on the evening.

Joe.

My name is Joe, reside at Waimea, I saw Kaona mauka very often I went mauka to plant Apukai's hulis, Kaona came up to me and told me not to plant any more as the land belongs to him, he himself rooted up the huli and threw them in the woods, all the hulis which I had planted were rooted up by him that was on Monday.

Pros. rests.

G.W. Kaona.

My name is G.W.K. reside at Waimea, am acquainted with Apukai, I owned 2 lois at Kikiaola within Waimea district, I bought them from Kaawa k, for \$60. I also had a house lot, a deed for the house lot and the 2 lois was made during the year 1890 and was acknowledged by Liwai and was sent by Kalaukoa to the record office at Honolulu said deed is now in my possession and was dated Feb. 1st 1890 and was signed on that day. When I ^{took} ~~got~~ possession of it, the chinaman Akata by name began to plow the same and I told him not to plow as the land belongs to me, the loi near to the auwai was almost entirely plowed and ~~when~~ from the time I told the chinaman not to plow any more, the chinaman did not do any more plowing, I was the first to oppose the chinaman not any body else, the loi which I objected was the one in question and the one which Apukai is now planting the same being plowed by Kualu, I objected him when he plowed it, when it was first planted, I did not know as I was at Puuopapai working, on my return, I went to look after the same and found the taro growing on the

land in question, I did not know the one who planted, I asked -
 Kalaukoa who planted my land? After the 30th June 1891, I met -
 Apukai and asked him if he ha planted on the land in question ?
 He said yes and I told him not to plant any more on my land, he
 said to me that Kamalenui told him to plant on saidland, I told
 him if you plant any more, I will destroy the same till we go
 before the Court, after that I met Joe working, I told him not
 plant there , the land belongs to me and on the same day I rooted
 up the hulis which he had planted, because I had no huli that is
 the reason why I did not plant on the said land. After I got -
 possessiion of the land Kapilikai asked me if ~~ixhadxx~~ the land was
 sold to me, I said "yes" I know that there will be a law-suit
 about the land.

A.P. Kalaukoa.

Reside at Waimea, am acquainted with Apukai, what I
~~know about this case is this:~~ during the latter part of 1890, I met
 Apukai at Pekeu, he asked me if I drew the deed between Kaona and
 Kaawa, I said I did it. He said he thinks that there will be ^a law-
 suit about it as Kaawa said he did not sell two lois to Kaona, I
 heard from Kamalenui that Kaawa told Kaehu to tell Kaona that
 Kaawa had some land to sell the same being the land in question
 situate at Kikiaola. Kaawa came to Kaona's place on Feb. 1st 1890
 Kaawa said that he wanted to sell the land to the one who has
 money. I asked him " with whom you are going to sell the land ?
 He said Kaona, - two lois and a house lot, that is one belongs to
 himself and one for his sister who was dead. There was no document
 given to me, no R.P. and no ~~Frank~~ L.C.A.

J.K. Kapuniai.

D.J. of Waimea, Kauai.

Deft. found guilty , fine \$10. \$3.40 costs. Appeal to the Jury Feb.
 Term 1892.